

After elections : horizons of the majority

No. 14/262, April 8, 2002

Finally, the event that had been expected so emotionally in Ukraine, the 2002 parliamentary elections, took place on March 31. As a result, only six parties and blocks out of 33 participants of the election race managed to cross the 4% threshold and receive seats in the new parliament.

Although official election results will be made public by the Central Election Commission (CEC) only on April 15, nowadays, after all 100% of the ballots have been processed, it has been announced that the block of Victor Yushchenko *Nasha Ukraina* received 23.56% of the votes, and brought 70 politicians listed in the block's election list, to the parliament. The «silver prize» was received by the Communist party of Ukraine (20% of the votes and 59 seats from the election list), and the block of the «parties of power» «*Za Yedynu Ukrainu!*» got 11.79% of the votes (35 seats). Other three political forces that made it to the parliament are the block of Yulia Tymoshenko (7.25% of the vote or 22 seats), the Socialist party of Ukraine (6.87% of the votes or 20 seats) and the Socialist Democratic Party of Ukraine (united) (SDPU(o), 6.27% of the votes or 19 seats from the party list). All in all, according to the CEC, 25,868,910 voters took part in the voting (or 69.29% of the eligible voters). 956,248 (3.69%) were judged invalid. The six blocks and parties that managed to overcome the 4% barrier received together 19,598,864 votes.

Among the outsiders of the race, the closest to the 4% barrier were the radical left block of Natalia Vitrenko (3.22%), the «Women for the Future» (2.11%), the *Komanda Ozymoho Pokolinnya* (2.02%), the Communist party of Ukraine (Renewed) (1.4%), the Party of the Green of Ukraine (1.3%), the *Yabluko* (1.15%), and the *Yednist* (1.08%). Other parties failed to receive even 1% of the votes.

The regional distribution of the votes looks rather symptomatic. *Nasha Ukraina* won in 14 regions of Ukraine: Vinnytsya, Volyn, Zhytomyr, Zakarpattia, Ivano-Frankivsk, Kyiv, Lviv, Rivne, Sumy, Ternopil, Khmelnytsky, Cherkasy, Chernivtsi, Chernihiv and the city of Kyiv. «*Za Yedynu Ukrainu!*» won in the Donetsk region, and the Socialists won in Poltava. The second and third best results in the regions were received by the SDPU(o), the Yulia Tymoshenko block, *Yednist* in Kyiv and the Russian block in Sevastopol.

The so-called «red belt» of Ukraine, where Communists have traditionally won, shrunk to «only» right regions, a half of what *Nasha Ukraina* dominated. In the 1998 parliamentary elections, the Communists were victorious in 18 regions, and the total proportion of votes received by them amounted to 24.65%. The third Ukrainian parliament, elected in 1998, received 125 Communist MPs (84 seats from the party list and 37 winners of the race in majoritarian constituencies). The results enabled the Communist party to form the largest

faction in the parliament and made it possible for the party to use its numbers to its benefit.

In the 2002 elections the Communists won in the Dnipropetrovsk, Zaporizhzhya, Luhansk, Mykolayiv, Odessa, Kharkiv, Kherson regions, the Crimea and Sevastopol. As the supporters of the Communist party lived mainly in the eastern and southern parts of Ukraine, the party's leader Petro Symonenko made a rather exotic claim that «the zapadenshchyna (derogatory for «western Ukraine») goes under the influence of America, the east – under the influence of Russia, the Crimea – under the influence of Turkey» (Izvestia, April 2, 2002). In his opinion, «this is a new project that is being implemented by the Ukrainian authorities». The statement, obviously, does not reflect the situation, as the voting results are based on traditional electorate of the Communists, the counterpropaganda against Nasha Ukraina and certain myths about national democratic forces, cultivated in Eastern Ukraine. Interestingly, it may be concluded from the statement that Symonenko attributes his victory in the east and south of Ukraine and in the Crimea with alleged dominance of Russia and Turkey and the implementation of certain scenarios by the power establishment. The alleged division could not be observed in majoritarian constituencies: for instance, voters of the «red» Zaporizhzhya region supported candidates from Nasha Ukraina and «Za Yedynu Ukrainu!».

According to the Central Election Commission, 25,869,106 Ukrainians voted in majoritarian constituencies. 1,443,549 ballot were judged invalid, and 1,921,239 voted «against all».

The Communists will not have the majority and will not be the largest faction for the first time in the history of Ukraine and the CIS. Generally, the elections were won by the forces that position themselves as centrists, the right and the opposition. Communists won in only 7 majoritarian constituencies – a small minority compared to the result received by majoritarian candidates supported by «Za Yedynu Ukrainu!» (66 seats). A substantial number of «non-aligned» candidates are also likely to join the «Za Yedynu Ukrainu!» block.

According to the preliminary results, the largest factions in the parliament will be formed by Nasha Ukraina (112 seats) and «Za Yedynu Ukrainu!» (101 seats). Communists will have 66 seats, the SDPU(o) will have 24 seats, the Socialists will have 23 seats, and the Yulia Tymoshenko block will have 22 seats. Four seats in the parliament were won by majoritarian candidates from the Democratic Union, three by candidates from Yednist, and the Party of National Economic Development of Ukraine and the Sea Party got one seat each.

It is still unclear how the «independent» MPs (i.e., self-nominated and formally not endorsed by any party or block) will position themselves. According to Yuri Yekhanurov (deputy chief of staff of Nasha Ukraina), the faction may grow up to 126 MPs, including those unofficially supported by the block. Head of the presidential administration and leader of the «Za Yedynu Ukrainu!» block Volodymyr Lytvyn is also optimistic: he claims that the block will receive «at least 125-130 deputy's mandates» including 82

majoritarian seats, or «more than 100» including those who favors the block (Interfax Ukraina, April 2, 2002).

Almost all political forces argued there were massive violations of the election process. The circumstances of the race «signaled out the Ukrainian democracy for four years,» argued Victor Yushchenko on April 1, stressing that the Nasha Ukraine's calculations, based on their own parallel vote counting (PVC), suggested that from 8 to 12% of the election results were faked. According to the PVC, Nasha Ukraina received 27.07%, and «Za Yedynu Ukrainu!» received 7.66%. Yushchenko argued that Nasha Ukraina had become a victim of the so-called «donor scenario», when some proportion of the votes were stolen from the block and given to the block of the «parties of power». «Facts prove that the [information about] plans of faking the elections by the staff of «Za Yedynu Ukrainu!», made public by the ad hoc parliamentary commission» [existed], claimed the statement of the Socialist party, disseminated on April 1. It was also argued in the statement that «the state, represented by the Central Election Commission, has failed to provide technologically for the observance of all procedures, envisaged by the law». The CEC, many local election commissions became instruments in the hands of violators of the law, the bodies of political repressions with promising candidates from the opposition,» – the Socialists' statement argued. The parallel vote counting was also organized by the Yulia Tymoshenko block. According to their data, by the time 45% of the ballots were processed, the block had to receive 9.25% of the votes.

International observers from the OSCE and other international organizations and foreign bodies also registered a number of irregularities on the polling day. The OSCE had about 400 short-term observers from 45 OSCE member countries in about 1,500 polling stations, including 45 observers from the Parliamentary Assembly of the OCSE, 19 observers from the Parliamentary Assembly of the Council of Europe, and 3 observers from the European parliament. According to the mission's preliminary results, the most serious problems during the elections included violation of confidentiality of voting and inclusion of non-eligible individuals in the voter lists (registered in 32.65% of the polling stations visited by the observers). In 6% of the polling stations the observer noticed «poor performance» of election commission staffs. Members of about 20% of regional election commissions visited by the mission complained about heavy pressure by local administrations.

CIS observers, on the contrary, were far less critical of the election process and outcome. According to first deputy head of the CIS Executive Committee Dmitry Bulakhov, «there have never been such open and transparent elections in Ukraine» and added that «there have never been such an avalanche of technical irregularities.» He argued that «the elections in Ukraine are legitimate, transparent and democratic. We have seen the strife to achieve democratic standards» (Holos Ukrainy, March 4, 2002). According to the CEC, the main problems on the polling day were long queues of voters at the polling stations, the lack of necessary number of voting booths and the badly equipped facilities where the polling stations were located. As head of the CEC Mykhailo Ryabets argued, some of the polling stations even did not have electricity.

The election results allow some generalization on various aspects of the race. First, the voting results suggest that expectations that elections can be won by means of costly «techniques» alone have failed together with the failure of aggressive PR-based election projects. The actively promoted Komanda Ozymoho Pokolinnya received only about 2% of the vote and failed to appeal to liberal values. The proliferation of its advertising within the two past months of the race caused the opposite reaction in voters. Similar failure was experienced by Yabluko that based its campaign on massive advertising and populism, particularly in the regions. Yet, the failure of the «technological» projects cannot be limited to inadequate choice of the campaign tactics and require deeper analysis.

Second, Ukrainian voters proved to be rather «conservative» in their political preferences and chose parties and leaders that declared the presence of political strategies, but not to seemingly «apolitical» formations that sought to convince voters that «politicians engage in demagoguery» – like the Greens of the «Women for the Future». Generally, the election campaigns were more heavily focused on leaders than on parties. The example of the Greens demonstrated again that it is impossible to «enter the same river twice», i.e., to win the elections with the same strategy and tactics of aggressive TV advertising for the second time in a row without showing much success in the parliament.

Third, the victory of political parties rather than (non-) political PR-based election projects showed the readiness of the voters for the change of the power-holders, the crisis of the state power and its campaign tactics. Notwithstanding the lack of access to the national media, heavy pressure of the administration and criticism by competitors in their media, to which the criticized usually did not have a chance to respond, the blocks of Yulia Tymoshenko and (partly) Victor Yushchenko and the Socialist party of Oleksandr Moroz managed to receive a large proportion of seats in the new parliament. The votes, cast for Nasha Ukraina, showed the voters' attitude to the current holders of the state power. In a sense, the victory was nourished by the perception of the Yushchenko government as of a very effective one, seen as productive and efficient alternative to the present-day government. However, the election victory does not guarantee that the block will be victorious in the strategic battles for levers of influence within the parliament. Like a couple of years ago, the words «parliamentary majority» are again among the most popular in the «political speak». The future development of Ukraine depends to a substantial extent on the configuration of that formation and on the grounds of its establishment. Today the situation in the parliament, regarding the formation of the majority, is difficult and unclear, as the question what entity will serve as the foundation of the majority - «Za Yedynu Ukrainu!» or Nasha Ukraina or both – remains unanswered. Notwithstanding the claims of members of «Za Yedynu Ukrainu!» that their faction will be the largest in the new parliament, it is still a question whether the entity will transform into a single whole or will exist as a coalition of its constituent political parties. Members of Nasha Ukraina do not clearly position themselves in the new parliament and do not name forces with which they will make alliances. On April 1 Victor Yushchenko announced that his block would not be in the same formation with the SDPU(o) but that the block was in process of negotiations about alliances with other political forces. However, according to Yushchenko, the negotiations will be held only with the forces

that want the Ukrainian state to be independent and its economy transparent and effective, i.e., with the forces that want to see the Ukrainian power fair. It is difficult for an outside observer to judge whether, from the perspective of Nasha Ukraina, «Za Yedynu Ukrainu!» is fair, given the latter's specific vision of public policy, expressed by some of its leaders. As far as the SDPU(o) is concerned, the situation that existed before the elections seems to be repeated. Yet, «Yushchenko said that ... on the emotional attitude to the victory of the NU block [i.e., Nasha Ukraina]. I think when they come to the parliament there will be more balanced, more reasonable MPs in the block who will determine whether they should or should not vote, led not by their leader's ambitions but by interests of Ukraine,» said one of the leaders of the SDPU(o) Leonid Kravchuk (Den, April 3, 2002).

Socialists think they may be willing to form a coalition with Yushchenko and Tymoshenko blocks should such a consolidation be in the latter's plans. Tymoshenko also makes a friendship proposal to Yushchenko for forming a democratic oppositional majority. However, it does not look like Yushchenko is prepared to accept the offer, as he may not wish to join overt anti-presidential opposition. SDPU(o) promise they will cooperate in the new parliament with the political forces that «build their work on something constructive», as Leonid Kravchuk puts it (Interfax Ukraina, April 4, 2002). Leader of «Za Yedynu Ukrainu!» Volodymyr Lytvyn announced on March 31 that «his fellow politicians will cooperate in the parliament with the so-called anti-presidential forces» as, in his view, «those will change their tactics after receiving the deputy mandates» (Holos Ukrainy, April 2, 2002). According to Lytvyn, those parties and blocks used anti-presidential slogans only for winning the campaign. However, he never clearly named the forces he referred to, though his partner in the political block, leader of the Trudova Ukraina Serhiy Tihipko announced that the majority in the new parliament should be right-centrist and consist of the «Za Yedynu Ukrainu!», Nasha Ukraina and SDPU(o). «I am not prepared to be a member of the majority together with the Communist party and the SDPU(o), he said (Interfax-Ukraina, April 1, 2002). Hence, so far the attempts to form the majority look like a difficult procedure of constructing a Lego shape.

However, the final configuration of the majority may be determined by at least two factors: the choices of independent MPs and positioning of specific political forces in accordance with their interests – tactical (in the form of specific draft bills) and strategic alike. In the nearest futures the key issues will include building a coalition government, election of the leadership of the parliament, the distribution of control over the parliamentary committees, implementation of the referendum results and the issue of impeaching President Kuchma. The issues will determine the shape of situational majorities. But now, while the CEC completes the vote counting procedure, politicians negotiate with their potential allies and sum up the election results – hopefully in the interests of the voters, not just in the interest of specific political forces.